

aiding in the construction of a Railroad from Pensacola to Montgomery.

Was read the third time; on the question of its passage, the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Buddington, Crawford, Finley, Forward, Johnson, Maxwell, McMillan, Moseley, Perry, Smith, Stewart, Taylor—17.

Nays—None.

Said bill passed. Title as stated.

Ordered that the same be certified to the House of Representatives.

Engrossed bill to be entitled, An act providing for the investment of a portion of the Seminary and Common School Fund;

Was read the third time, and on the question of its passage, the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Buddington, Crawford, Finley, Johnson, Maxwell, McMillan, Moseley, Perry, Smith, Stewart—15.

Nays—None.

Said bill passed. Title as stated.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled, An act to authorize Coley R. Stewart to sell and convey certain property of the infant heirs of James Stewart, deceased;

Was read the third time; on the question of its passage the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Hillsborough, Buddington, Crawford, Finley, Forward, Johnson, Maxwell, McMillan, Moseley, Perry, Smith, Stewart, Taylor—16.

Nays—None.

Said bill passed. Title as stated.

Ordered that the same be certified to the House of Representatives.

On motion of Mr. Baldwin, the Senate adjourned until half-past 10 o'clock, to-morrow, A. M.

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SATURDAY, January 18, 1851.

The Senate met pursuant to adjournment.

The Rev. Mr. Pratt officiated as Chaplain.

A quorum being present, on motion the reading of the proceedings of yesterday was dispensed with.

Mr. Avery moved that the bill to be entitled, An act to provide for the establishment of two Seminaries of learning be taken from the table and placed among the orders of the day.

Which was carried, and said bill placed among the orders of the day.

Mr. Finley moved that the rule be waived, that he may be allowed to introduce the following bills, viz :

Bill to be entitled, An act to amend the laws now in force in the State, relative to the foreclosure of mortgages;

Also, a bill to be entitled, An act amendatory of the laws now in force in this State, relative to Judicial Proceedings;

Which were placed among the orders of the day.

Mr. Forward moved that the rule be waived, and he be allowed to introduce a bill;

Which was carried, and he introduced a bill to be entitled, An act to amend the law, authorizing the organization of Fire Companies;

Which was ordered to be placed among the orders of the day.

Mr. Brown of Hillsborough moved that the rule be waived, and he be allowed to introduce a bill;

Which was carried, and he introduced a bill to be entitled, An act to extend the first section of an act giving a lien to Steam Boat men, and others navigating the Bay and River of Apalachicola, approved January 4, 1847; and also, an act to amend an act approved January 4, 1847, giving a lien to Steam Boat men and others navigating the River of Apalachicola, approved January 11, 1849, be extended to Hillsborough County;

Which was carried, and said bill ordered to be placed among the orders of the day.

Mr. Brown of Hillsborough, from the Committee on Claims and Accounts, made the following report:

The Committee on Claims and Accounts, to whom was referred a bill for the relief of Nathaniel P. Bemis, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

Also a bill for the relief of Abner D. Johnson, which they have also instructed me to report back to the Senate, and recommend its passage.

Which is respectfully submitted.

M. C. BROWN,

*Chairman Com. on Claims and Accounts.*

Which was received, and said bills ordered to be placed among the orders of the day.

Mr. Baldwin, from the Committee on Engrossed Bills, made the following Report:

The Committee on Engrossed Bills report as correctly engrossed, Resolutions providing for the removal of the Seat of Government of Florida.

JOHN P. BALDWIN, *Chairman.*

Which was read, and said bills ordered to be placed among the orders of the day.

Mr. Brown, of Columbia, from the Committee on Agriculture, made the following Report:

The Committee on Agriculture, to whom was referred "Resolutions relative to the establishment of a Board of Agriculture at the City of Washington," have considered the same, and approve of the objects contemplated by said Resolutions, they therefore recommend the adoption of the same, and that your Committee be discharged from the further consideration of the same.

Respectfully submitted.

R. BROWN, *Chairman pro tem.*

Which was received, and said resolutions ordered to be placed among the orders of the day.

Mr. Forward, from the Committee on Corporations, made the following report:

The Committee on Corporations, to whom was referred House bill to be entitled, An act to incorporate a Bank in the City of Tallahassee, have had the same under consideration, and have instructed me as their Chairman to make the following

#### REPORT:

Strike out the eleventh section thereof, and in lieu thereof insert the following:

SEC. 11. *Be it further enacted,* That if the officer or officers of said Bank shall refuse or neglect to pay any of its bills when presented for payment at its counter within the usual hours of business, or on demand being so made, shall refuse or neglect to pay or tender payment of such sums as may be therein deposited, in gold or silver coin, and shall so continue to refuse or neglect such payment for the space of ninety days, then all the rights, privileges, and immunities of this Charter shall be forfeited; and the holder of such bill, or the person, his agent, or lawful attorney making such deposit, may make complaint thereof, in writing, to any Circuit Court Judge of this State, whose duty it shall be thereupon to cause the President or Cashier of said Bank to be notified to appear before him at such time and place as he may appoint, to answer to such complaint, and show cause against further proceedings thereon.

Also, to add the following to the nineteenth section, "and the bills of such branches shall be made payable at the place the same may be issued."

And I am further instructed by the Committee to call the attention of the Senate to the fact that no specific provision is made in said bill for the payment of taxes by said Bank, although it is presumed that the stockholders, under the general revenue law of the State, would be required to pay taxes on their stock. Your Committee would recommend that the said Bank be required, in lieu of taxes, to pay a liberal bonus yearly to the Common School Fund.

All of which is respectfully submitted.

W. A. FORWARD, *Chairman.*

Which was received, and said bill ordered to be placed among the orders of the day.

Mr. Maxwell, from the Committee on the Judiciary, made the following report:

The Judiciary Committee to whom was referred, an act to establish a Circuit Court in Levy County, have had the same under consideration and instructed me to report the same back with the following amendment:

Strike out all after the enacting clause in the second section, and insert the following:

That from and after the passage of this act, the terms of the Circuit Courts of the several counties of the Southern Circuit of Florida, shall be as follows in each and every year, to wit:

SPRING TERM—In the County of Levy, on the first Monday of May; in the County of Hernando, on the second Monday of May; in the County of Hillsborough, on the third Monday of May; in the County of Monroe, on the first Monday of July.

FALL TERM—In the County of Levy, on the second Monday in October; in the County of Hernando, on the third Monday in October; in the County of Hillsborough, on the first Monday in November; in the County of Monroe, on the first Monday in December.

And do recommend a change of the title of the said bill, so as to read as follows: "An act to establish a Circuit Court in Levy County, and to fix the Terms of the Circuit Courts of the several Counties of the Southern Circuit of Florida."

A. E. MAXWELL, *Chairman.*

Which was received, and said bill ordered to be placed among the orders of the day.

Mr. Smith, from the Committee on Propositions and Grievances, made the following report:

The Committee on Propositions and Grievances, to whom was referred a bill to be entitled, An act to refund taxes paid by certain persons of Hillsborough County, in the year 1849, ask leave to report:

That they have had the same under consideration, and I am instructed, as their Chairman, to report the bill back without amendment, and recommend its passage.

D. J. SMITH, *Chairman.*

Which was received, and said bill ordered to be placed among the orders of the day.

The following communication was transmitted to his Excellency the Governor:

HOUSE OF REPRESENTATIVES, January 13, 1851.

His Excellency THOMAS BROWN,  
*Governor of Florida:*

Sir: We have the honor to inform your Excellency that at a joint meeting of the General Assembly, held this day for the purpose of electing a United States Senator, and Comptroller of Public Ac-

counts, Treasurer and Clerk of the Supreme Court, Mr. Stephen R. Mallory was declared duly elected Senator to the Congress of the United States, Mr. John Beard was declared duly elected Comptroller of Public Accounts, Mr. William R. Hayward was declared duly elected Treasurer, and Mr. John P. K. Savage was declared duly elected Clerk of the Supreme Court of the State of Florida.

Respectfully,

N. McPHERSON,  
*Secretary of the Senate.*  
WILLIAM H. MILTON,  
*Clerk House Representatives.*

Mr. Forward, from the Committee on Corporations, made the following Report:

The Committee on Corporations have had under consideration House bill to be entitled, An act to amend an act incorporating the City of Apalachicola, and instructed me to report the same back without amendment.

W. A. FORWARD, *Chairman.*

Which was received, and said bill ordered to be placed among the orders of the day.

Mr. Maxwell, from the Committee on the Judiciary, made the following report:

The Committee on the Judiciary, report back to the Senate without amendment, an act to alter and amend proceedings in Chancery in certain cases.

A. E. MAXWELL, *Chairman.*

Which was received, and said bill ordered to be placed among the orders of the day.

Mr. Smith, from the Committee on Propositions and Grievances, made the following report:

The Committee on Propositions and Grievances, to whom was referred a bill to be entitled, An act for the relief of John T. Myrick, ask leave to report, that they have had the same under consideration, and instructed me as their Chairman to report the bill back without amendment, and recommend its passage.

D. J. SMITH, *Chairman.*

Which was received, and said bill ordered to be placed among the orders of the day.

The following message was received from the House of Representatives:

'HOUSE OF REPRESENTATIVES, January 17, 1851.

*Honorable President of the Senate:*

Sir:—The House have passed the following bills and resolutions, viz:

Bill to be entitled, An act to amend an act to provide for the appointment of Auctioneers, and defining the duties of the same;

Bill to be entitled, An act to authorize the sale of real certain estate belonging to the estate of Albert C. McBride, deceased;

Bill to be entitled, An act to prohibit the introduction of slaves into this State for sale;

Bill to be entitled, An act repealing sections first and second, and amending section third of an act in relation to trading with slaves, approved February 11, 1834;

Bill to be entitled, An act to change the time of holding the Circuit Courts of the Middle Circuit;

Bill to be entitled, An act to provide for the payment of Coroners Juries, and for other purposes;

Bill to be entitled, An act to provide for the opening of a road from Miami in Dade County, to Indian River, in St. Lucie County;

Resolution relative to printing the laws of the present Session;

Resolution for the relief of Thomas Langford;

Resolution authorizing the loan of a portion of the School Fund to Hernando County;

Also, Senate bill to be entitled, An act for the relief of J. L. Wyman;

Without amendment.

Also the following Senate bills, with the enclosed amendments:

Bill to be entitled, An act to tax slaves brought into this State for hire;

Bill to be entitled, An act to enable Executors, Administrators and Guardians to sell the real estate of infants;

In the amendments to which, the concurrence of the Senate is respectfully solicited.

The following bills from the Senate have been lost in the House, viz:

Bill to be entitled, An act to amend an act entitled an act to exempt Homesteads from Execution, Attachment and Distress, approved March 11, 1848;

Bill to be entitled, An act to amend an act entitled an act fixing the salary of the Governor of this State, and to authorize the appointment of a Governor's Secretary and Clerk for the Executive Department, and for other purposes, approved by the Governor January 25th, 1845.

Respectfully,

H. ARCHER,

*Speaker House of Representatives.*

Which was read, and said House bills ordered to be placed among the orders of the day.

The amendments of said Senate bills concurred in, and said Senate bills ordered to be enrolled.

The following communication was transmitted to his Excellency the Governor:

SENATE CHAMBER, January 14, 1851.

His Excellency THOMAS BROWN,

*Governor of Florida.*

Sir:—I have the honor to communicate to your Excellency that

An election for Judge of the Southern Circuit of the State of Florida has been held by both Houses of the General Assembly, and that on the eighth voting, Joseph B. Lancaster received sixteen votes in the Senate and in the House of Representatives, as reported to the Senate by a Committee from that body, he received twenty-one votes; and that the said Joseph B. Lancaster, having received the majority of the concurrent vote of both Houses of the General Assembly, was declared by the President of the Senate, duly elected Judge of the Southern Circuit of this State.

Respectfully,

NEILL McPHERSON, *Sec'y Senate.*

Also the following:

Senate Chamber, January 14, 1851.

His Excellency, Thomas Brown,

*Governor of Florida:*

Sir: - I have the honor to communicate to your Excellency that an election for Judge of the Eastern Circuit of the State of Florida has been held by both Houses of the General Assembly, and that on the first voting Thomas Douglass received ten votes in the Senate, and in the House of Representatives, as reported to the Senate by a Committee from that body, he received twenty-four votes; and that the said Thomas Douglas, having received a majority of the concurrent vote of both Houses of the General Assembly, was declared by the President of the Senate duly elected Judge of the Eastern Circuit of this State.

Respectfully,

NEILL McPHERSON,  
*Secretary Senate.*

Also the following:

Senate Chamber, January 14, 1851.

His Excellency, Thomas Brown,

*Governor of Florida:*

Sir: - I have the honor to communicate to your Excellency that an election for a Judge of the Middle Circuit of the State of Florida has been held by both Houses of the General Assembly, and that on the first voting J. Wales Baker received thirteen votes in the Senate, and in the House of Representatives, as reported to the Senate by a Committee from that body, he received twenty-seven votes; and that the said J. Wayles Baker, having received a majority of the concurrent vote of both Houses of the General Assembly, was declared by the President of the Senate duly elected Judge of the Middle Circuit of the State of Florida.

Respectfully,

NEILL McPHERSON,  
*Secretary Senate.*

Also the following:

SENATE CHAMBER, January 14, 1851.

His Excellency, THOMAS BROWN,  
*Governor of Florida:*

SIR:—I have the honor to communicate to your Excellency that an election for a Judge of the Western Circuit of the State of Florida has been held by both Houses of the General Assembly, and that on the first voting George S. Hawkins received thirteen votes in the Senate, and in the House of Representatives, as reported to the Senate by a Committee from that body, he received thirty-five votes; and that the said George S. Hawkins, having received a majority of the concurrent vote of both Houses of the General Assembly, was declared by the President of the Senate duly elected Judge of the Western Circuit.

Respectfully,  
NEILL McPHERSON,  
*Secretary of the Senate.*

Also the following:

SENATE CHAMBER, January 14, 1851.

His Excellency THOMAS BROWN,  
*Governor of Florida:*

SIR:—I have the honor to communicate to your Excellency that an election for Chief Justice of the Supreme Court of the State of Florida has been this day held by both Houses of the General Assembly, and that on the fifth voting Walker Anderson received ten votes in the Senate, and in the House of Representatives, as reported by a Committee from that body, he received twenty-four votes; and that the said Walker Anderson, having received a majority of the concurrent vote of both Houses of the General Assembly, was declared by the President of the Senate duly elected Chief Justice of the Supreme Court of the State of Florida.

Respectfully,  
NEILL McPHERSON,  
*Secretary of the Senate.*

Also the following:

SENATE CHAMBER, January 14, 1851.

His Excellency THOMAS BROWN,  
*Governor of Florida:*

SIR:—I have the honor to communicate to your Excellency that an election for an Associate Justice of the Supreme Court of the State of Florida has been this day held by both Houses of the General Assembly, and that on the first voting A. G. Semmes received twelve votes in the Senate, and in the House of Representatives, as reported to the Senate by a Committee from that body, he received twenty-three votes; and that the said A. G. Semmes, having received a majority of the concurrent vote of both Houses of the General Assembly, was declared by the President of the Senate duly



elected Associate Justice of the Supreme Court of the State of Florida.

Respectfully,

NEILL McPHERSON,  
*Secretary Senate.*

# ORDERS OF THE DAY.

Bill to be entitled, An act to provide for the establishment of two Seminaries of Learning;

Was read the second time, and ordered to be engrossed for a third reading on Monday next.

Bill to be entitled, An act amendatory of the laws now in force in this State relative to judicial proceedings;

Was read the first time, and ordered to a second reading on Monday next.

Bill to be entitled, An act to amend the laws now in force in this State relative to the foreclosure of mortgages;

Was read the first time, rule waived, read the second time by its title, and referred to the Committee on the Judiciary.

Committee from the House informed the Senate that the House would reconsider the vote on a bill to be entitled, An act to amend an act entitled an act to exempt Homesteads from Execution, Attachment, and Distress, approved March 11, 1845;

Which has been lost in the House and transmitted to the Senate, and desired that said bill should be transmitted back to the House of Representatives.

Committee from the Senate transmitted said bill back to the House of Representatives.

Engrossed resolutions providing for the removal of the Seat of Government of Florida;

Were read the third time and passed.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled, An act for the relief of Abner D. Johnson;

Was read the second time, rule waived, and read the third time.

On the question of its passage, the yeas and nays were:

Yeas – Messrs. Baldwin, Brown of Columbia, Brown of Hillsborough, Finely, Forward, Johnson, Mosley, Perry, Smith, Stewart – 10.

Nays – Mr. President, Messrs. Avery, McMillan, Taylor – 4

Said bill passed. Title as stated.

Ordered that the same be certified to the House of Representatives.

Bill to be entitled, An act to amend the law authorizing the organization of Fire Companies;

Was read the first time, rule waived, and read the second and third times by its title.

On the question of its passage, the yeas and nays were:

Yeas—Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Finley, Forward, Johnson, McMillan, Moseley, Perry, Stewart, Taylor—12.

Nays—Mr. President, Mr. Smith—2.

Said bill passed. Title as stated.

Ordered that the same be certified to the House of Representatives.

Bill to be entitled, An act for the relief of Nathaniel P. Bemis;

Was read the second time and ordered to be engrossed for a third reading to-morrow.

House resolutions relative to the establishment of a Bureau of Agriculture at the City of Washington;

Was read the second time, rule waived, read the third time and passed.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled, An act to refund the taxes paid by certain persons of Hillsborough County;

Was read the second by title, rule waived, read the third time, and on the question of its passage the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Finley, Forward, Johnson, Maxwell, Moseley, Perry, Smith, Stewart, Taylor—14.

Nays—None.

Said bill passed; title as stated.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled, An act to incorporate a Bank in the City of Tallahassee;

Was read the second time.

The amendments proposed by the Chairman of the Committee on Corporations were adopted.

Mr. Avery offered the following as additional sections:

SECTION 22. *Be it further enacted*, That by way of bonus for granting this charter, the said Bank shall pay into the Treasury of the State, on or before the twentieth day of July in each year, and while the Bank shall continue banking business, an amount equal to forty cents on each share of the stock of the Bank, which shall be in lieu and composition of all taxation whatever, by the State, County, City, or other authority, on the capital stock or business of the Bank: *Provided*, That all real estate owned by the Bank shall be subject to pay taxes as if owned by individuals.

SEC. 23. *Be it further enacted*, That the money received on account of the bonus mentioned in the preceding section, shall be, and the same is, hereby appropriated to the support of Common Schools, and shall be annually distributed among the children of the State, subject to all the rules, regulations, and restrictions, which are now

or may hereafter be imposed upon the distribution of the interest of the Common School Fund.

Which were adopted, and said amendments ordered to be engrossed, and said bill as amended ordered to a third reading on Monday next.

House bill to be entitled, An act to amend the acts incorporating the City of Apalachicola;

Was read the second time, rule waived, read the third time, and on the question of its passage the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Finley, Forward, Johnson, Maxwell, McMillan, Moseley, Perry, Smith, Stewart—13.

Nays—None.

Said bill passed; title as stated.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled, An act to establish a Court in Levy County;

Was read the second time;

The amendments proposed by the Committee on the Judiciary were adopted;

Said bill, as amended, read the third time, and on the question of its passage, the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Finley, Forward, Johnson, Maxwell, McMillan, Moseley, Perry, Smith, Stewart, Taylor—14.

Nays—None.

Said bill passed. Title as stated.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled, An act for the relief of John T. Myrick;

Was read the second time, rule waived, read the third time by its title, and on the question of its passage, the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Finley, Forward, Johnson, McMillan, Moseley, Perry, Smith, Stewart, Taylor—14.

Nays—None.

Said bill passed. Title as stated.

Ordered that the same be certified to the House of Representatives.

Resolution for the relief of Thomas Langford;

Was read the first time and ordered to a second reading tomorrow.

Mr. Avery moved that the rule be waived and that he be allowed to introduce the following resolution, viz:

*Resolved*, That the Committee on Taxation and Revenue be instructed to act with the Committee on the part of the House of Rep-

representatives, in drafting a bill to provide for the expenses of the present General Assembly;

Which was carried, and said resolution read and adopted.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled, An act to prohibit the introduction of slaves into this State for sale;

Was read the first time, rule waived, read the second time by its title, and referred to the Committee on Federal Relations.

House resolution authorizing the Treasurer to borrow from the Common School Fund eight hundred dollars for the County Commissioners of Hernando County;

Was read the first time, rule waived, read the second time by its title, and referred to the Committee on Schools and Colleges.

The President announced that the hour agreed upon by both Houses of the General Assembly to go into the election of an Associate Justice of the Supreme Court, had arrived.

On motion, a Committee was appointed to inform the House that the Senate was then ready to go into said election.

Committee from the Senate proceeded to inform the House, and reported that they had performed the duty assigned them.

Committee from the House informed the Senate that the House concurred, and was then ready to go into said election.

Mr. Mosely nominated Mr. T. W. Brevard.

Mr. Sewart nominated Benjamin A. Putnam.

The Senate proceeded to a twenty-eighth voting, which resulted as follows:

For Brevard—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Forward, Johnson, Moseley, Perry, Taylor, 8. Result in the House, 14. Total, 22.

For Putnam—Messrs. Avery, McMillan, Smith, Stewart, 4. Result in the House, 16. Total, 20.

Blank—Messrs. Baldwin, Finley, 2.

In the House, for Maxwell, 4.

There being no election, the Senate proceeded to a twenty-ninth voting, which resulted as follows:

Committee from the House announced that the name of A. E. Maxwell was in nomination.

For Brevard—Messrs. Brown of Columbia, Brown of Hillsborough, Forward, Johnson, Moseley, Perry, Taylor, 7. Result in the House, 15. Total, 22.

For Putnam—Messrs. Avery, McMillan, Smith, Stewart, 4. Result in the House, 16. Total, 20.

Blank—Messrs. Baldwin, Finley, 2. House, 3. Total, 5.

There being no election the Senate proceeded to a thirtieth voting, which resulted as follows:

For Brevard—Messrs. Brown of Columbia, Brown of Hillsba.

rough, Johnson, Moseley, Perry, Taylor, 6. Result in the House 9.  
Total 15.

For Putnam—0. House, 0.

For Forward—Mr. President, 1. Result in the House, 9. Total, 10.

For Bryant—Messrs. Avery, Smith, Stewart, 3. Result in the House, 10. Total, 13.

Blank—Messrs. Baldwin, Finley, McMillan, 3. Result in the House, 1. Total, 4.

For Bush—In the House, 7.

Committee from the House announced that the name of J. W. Bryant of Jacksonville, and Allen H. Bush of Marianna, were in nomination.

Committee from the Senate proceeded to inform the House that the Senate would postpone said election, until the Senate would get through the orders of the day.

Committee from the House announced that the House concurred. House bill to be entitled, An act to change the time of holding the Circuit Courts of the Middle Circuit;

Was read the first time, and ordered to a second reading on Monday next.

An act to extend the provisions of the first section of "An act giving a Lien to Steamboat men and others navigating the Bay and River of Apalachicola," approved January 4, 1847, and also of "An act to amend an act, approved January 4, 1847, giving a Lien to Steamboat men and others navigating the Bay and River of Apalachicola," approved January 11, 1849, over the County of Hillsborough;

Read the first time, rule waived, read the second time by its title, and ordered to be engrossed for a third reading on Monday next.

House Resolution relative to Printing the Laws;

Was read the first time, and ordered to a second reading on Monday next.

House bill to be entitled, An act to provide for the opening of a Road from Miami, in Dade County, to Indian River, in St. Lucie County;

Was read the first time, rule waived, read the second time, and referred to the Committee on Internal Improvements.

House bill to be entitled, An act to provide for the payment of Coroner's Juries, and for other purposes;

Was read the first time, and ordered to a second reading on Monday next.

House bill to be entitled, An act repealing sections first and second and amending section third of an act in relation to trading with Slaves, approved February 11, 1834;

Was read the first time, and ordered to a second reading on Monday next.

House bill to be entitled, An act to authorize the sale of certain real estate belonging to the estate of Albert C. McBride, deceased;

Was read the first time, and ordered to a second reading on Monday next.

House bill to be entitled, An act to provide for the appointment of Auctioners, and defining the duties of the same;

Was read the first time, rule waived, read the second time by its title, and referred to the Committee on Claims and Accounts.

House bill to be entitled, An act to legalize certain acts of the Clerk of the Circuit Court and ex-officio Judge of Probate for Columbia County;

Was read the second time.

The amendments proposed by the Chairman of the Committee on the Judiciary were adopted, and said bill read the third time, as amended.

On the question of the passage of said bill, the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Brown of Columbia, Brown of Hillsborough, Finley, Johnson, McMillan, Moseley, Perry, Smith, Stewart, Taylor—12.

Nays—None.

Said bill passed. Title as stated.

Ordered that the same be certified to the House of Representatives.

Mr. Forward moved that the rule be waived and he be allowed to make the following report:

The Committee on the Judiciary have had under consideration House bill to be entitled, An act to amend an act to reduce the rate of Taxation upon subjects now taxed, and to levy a tax upon cattle of non-residents, and instructed me to report the same back with the following amendment, to wit:

Strike out all after the enacting clause in the first section and insert—

“That from and after the passage of this act, there shall be assessed and collected a tax of fifty cents on each and every head of cattle brought into this State for the purpose of grazing.”

Your Committee would recommend an amendment of the title of the bill by striking out the words “of non-residents,” and inserting the words “brought into the State for the purpose of grazing.”

The same Committee have instructed me to report back a bill to be entitled, An act to legalize certain acts of the Clerk of the Circuit Court and ex officio Judge of Probate for Columbia County, with the following amendment:

Add thereto the following words, “to the same extent and effect they would have been legal had the said Clerk of said Circuit Court been legally authorized to perform said acts.”

A. E. MAXWELL, *Chairman.*

Which was received, and said bills ordered to be placed among the orders of the day.

Mr. Forward moved that the rule be waived and he be allowed to introduce a bill;

Which was carried, and he introduced a bill to be entitled, An act to require the original accounts, vouchers and evidence upon which Warrants are drawn by the Comptroller of Public Accounts to be filed in his office, and not in that of the Treasurer;

Which was ordered to be placed among the orders of the day.

House bill to be entitled, An act to amend an act to reduce the rates of taxation upon subjects now taxed, and to levy a tax upon Cattle of non-residents;

Was read the second time.

The amendments proposed by the chairman of the Judiciary Committee were adopted, said bill read a third time as amended, and on the question of its passage the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Brown of Columbia, Brown of Hillsborough, Finley, Forward, Johnson, Moseley, Perry, Stewart, Taylor—11.

Nays—Messrs. McMillan, Smith—2.

Said bill passed; title as stated.

Ordered that the same be certified to the House of Representatives.

On motion, the Senate took a recess until 3 o'clock, P. M.

### 3 O'CLOCK, P. M.

The Senate met, a quorum present.

There being no election the Senate proceeded to a thirty-first voting, which resulted as follows:

For Brevard—Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Moseley, Perry, Taylor, 6. Result in the House, 1. Total, 7.

For Putnam—Messrs. Avery, Smith, Stewart, 3. Result in the House, 0. Total, 3.

For Woodward—Mr. President, Mr. Finley, 2. Result in the House, 5. Total, 7.

Blank—Mr. McMillan, 1. Result in the House, 0. Total, 1.

In the House for Forward—18.

For Bush—5.

There being no election the Senate proceeded to a thirty-second voting, which resulted as follows:

For Putnam—Messrs. Avery, McMillan, Smith, Stewart, 4. Result in the House, 0. Total, 4.

For Forward—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Moseley, Perry, Taylor, 7. Result in the House, 19. Total, 26.

Blank—Mr. Finley, 1. Result in the House, 0. Total, 1.

For Bush—0. Result in the House, 7. Total, 7.

There being no election the Senate proceeded to a thirty-third voting, which resulted as follows:

For Forward—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Moseley, Perry, Taylor, 7. Result in House, 23. Total, 30.

Blank—Messrs. Avery, Finley, McMillan, Smith, Stewart—5. House, 6. Total, 11.

There being no election, the Senate proceeded to a thirty-fourth voting, which resulted as follows:

For Forward—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Moseley, Perry, Taylor—7. Result in the House, 25. Total, 32.

Blank—Messrs. Avery, Finley, McMillan, Smith, Stewart—5.— House, 7. Total, 12.

There being no election, the Senate proceeded to a thirty-fifth voting, which resulted as follows:

For Forward—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Moseley, Perry, Taylor—7. Result in the House, 24. Total, 31.

Blank—Messrs. Avery, Finley, McMillan, Smith, Stewart, 5. House, 5. Total, 10.

There being no election, the Senate proceeded to a thirty-sixth voting, which resulted as follows:

For Forward—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Moseley, Perry, Taylor—7. Result in the House, 24. Total, 31.

For Maxwell—Mr. Baldwin—1. Result in the House, 0.

Blank, Messrs. Avery, Finley, McMillan, Smith, Stewart, 5. Result in the House, 7. Total, 12.

There being no election, the Senate proceeded to a thirty-seventh voting, which resulted as follows:

For Forward—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Moseley, Perry, Taylor, 7. Result in the House, 22. Total, 29.

For Maxwell—Mr. Baldwin, 1. Result in the House, 0.

Blank—Messrs. Avery, Finley, McMillan, Smith, Stewart, 5.— House, 6. Total, 11.

In the House, for Hon. Thomas Douglas, 1.

There being no election, the Senate proceeded to a thirty-eighth voting, which resulted as follows:

For Forward—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Moseley, Perry, Taylor, 7. Result in the House, 20. Total, 27.

For Maxwell—Mr. Baldwin, 1. House, 0. Total, 1.

Blank—Messrs. Avery, Finley, McMillan, Smith, Stewart, 5. Result in the House, 7. Total, 12.

Committee from the Senate proceeded to inform the House that



the Senate would postpone said election until 3 o'clock, P. M., Monday next.

Committee from the House informed the Senate that the House would not concur.

Whereupon, on motion, a committee of conference was appointed, which met a similar committee on the part of the House, and reported that the committee of conference had agreed to postpone said election until 3 o'clock, P. M., on Tuesday next;

Which report was concurred in.

On motion, the Senate adjourned until half-past 10 o'clock, A. M., on Monday next.

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MONDAY, January 20, 1851.

The Senate met pursuant to adjournment.

The Rev. Mr. Pratt officiated as Chaplain.

A quorum being present, the reading of the proceedings of last Saturday was dispensed with.

Mr. Finley moved that he be permitted to introduce a bill without previous notice;

Which was carried; and he introduced a bill to be entitled, An act supplementary to an act entitled an act to organize the Supreme Court of the State of Florida;

Which was ordered to be placed among the orders of the day.

Mr. Avery, from the Committee on the Judiciary, made the following report:

The Committee on the Judiciary, to whom was referred the bill to be entitled, An act providing for the increase of the School Fund from the State Treasury, and who, by a subsequent resolution of the Senate, were instructed, when they returned said bill to the Senate, to give their views of the constitutionality of its provisions, ask leave to

#### REPORT:

The bill under consideration provides, "that should there not be enough money arising from the interest of the School Fund, to allow two dollars to be given annually for the education of each child returned as required by law to the State Superintendent, then the said Superintendent shall notify the Comptroller of the amount of said deficiency, and also of the amount required by each County Superintendent to make up the deficiency in his County; and the Treasurer shall, on the warrant of the Comptroller, pay from the State Treasury, of funds accruing from the general revenue, to the several County Superintendents, the amount of said deficiency."

Had not Senators expressed the opinion that the provisions of this bill conflicted with that clause of the Constitution which declares "no other or greater amount of tax or revenue shall at any time be levied